

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff,

v.

CRIMINAL NO. 98-176 (JAF)

SAMUEL ARCE-LEON,
Defendant.

**MOTION REQUESTING CONTINUANCE OF THE ORDER TO SHOW CAUSE
HEARING**

HON. CHIEF MAGISTRATE JUDGE JUSTO ARENAS
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

COMES NOW Mr. SAMUEL ARCE-LEON, the defendant herein, represented by the Federal Public Defender for the District of Puerto Rico, and before this Honorable Court respectfully states and prays as follows:

1. The above-captioned case is scheduled for an Order to Show Cause hearing before Your Honor on August 2nd, 2005 at 10 am.
2. Counsel for the defendant has made, via Motion to the Court, a request for discovery under Rule 32.1 of the Federal Rules of Criminal Procedure, in order to ascertain the facts behind the allegations made by the Probation Officer.
3. Since the requested materials have yet to be received (and, in fairness to the probation officer, the defense's request was made on July 28th), a continuance of the Order to Show Cause hearing

date is respectfully requested. It should be noted that the defendant is currently under custody at MDC and the term of supervised release has been tolled as of June 8, 2005 (document number 322).

WHEREFORE it is respectfully requested that the Order to Show Cause hearing set for August 2, 2005 be continued.

RESPECTFULLY REQUESTED.

In San Juan, Puerto Rico, July 29th, 2005.

JOSEPH C. LAWS, JR.
Federal Public Defender
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 29th , 2005 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to counsel for the government, U.S. Attorney H.S. García, and the U.S. Probation Office (Norma Rivera-Rochet).

At San Juan, Puerto Rico, this 29th day of July, 2005.

JOSEPH C. LAWS, JR
Federal Public Defender
District of Puerto Rico

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